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AUG 15 2007

Clerk
District Court
for The Northern Mariana Islands

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7 Tel No. 670.322.3455
8
9 Attorneys for Defendant
10 Aviation Services (CNMI), Ltd. dba Freedom Air
11

12 UNITED STATES DISTRICT COURT
13 FOR THE
14 NORTHERN MARIANA ISLANDS

15 MOSES T. FEJERAN and
16 QIANYAN S. FEJERAN,

17 Plaintiffs,

18 vs.

19 AVIATION SERVICES (CNMI), LTD.
20 dba FREEDOM AIR,

21 Defendant.

CIVIL ACTION NO. 05-0033

DEFENDANT'S INITIAL
DISCLOSURES; CERTIFICATE
OF SERVICE

22 Defendant Aviation Services (CNMI), Ltd. dba Freedom Air, by and through their
23 Attorney of record, David Ledger, submit the following disclosure statement pursuant to Fed. R.
24 Civ. P. 26(a)(1) and LR 16.2CJ(d):

25 I. Persons likely to have Discoverable Information

- 26 1. Felicidad (Doll) Boddy
27 Freedom Air
28 c/o Carlsmith Ball LLP
Carlsmith Ball LLP Building
Capitol Hill
Post Office Box 5241
Saipan, MO 96950-5241
Tel No. 670.322.3455

Law Offices

William Herman Dotts & Baner

RECEIVED

3/15/06
4:02 pm

COPY

1 2. Francisco Muna
2 Freedom Air
3 c/o Carlsmith Ball LLP
4 Carlsmith Ball LLP Building
5 Capitol Hill
6 Post Office Box 5241
7 Saipan, MO 96950-5241
8 Tel No. 670.322.3455

9 3. Inas Suzuke
10 Freedom Air
11 c/o Carlsmith Ball LLP
12 Carlsmith Ball LLP Building
13 Capitol Hill
14 Post Office Box 5241
15 Saipan, MO 96950-5241
16 Tel No. 670.322.3455

17 II. Listing, Description and Location of Documents, Data Compilations and Tangible Things

- 18 1. 8/22/05 Incident Report written by Francisco Muna. (000004)
19 2. 1/18/05 Incident Reports written by Felicidad Boddy. (000001-000002)
20 3. Notes regarding Moses Fejeran written by Inas Suzuke. (000003)
21 4. Transcription of Incident Reports. (000005)
22 5. Various photographs of aircraft and offloading steps. (000006-000011)

23 III. Description and Computation of Damages

24 Not applicable.

25 IV. Insurance Agreements

26 The insurance agreement is available for inspection and copying upon request.


27 ///

1 V. Expert Testimony

2 Defendant has not retained an expert at this time.

3 DATED: Hagåtña, Guam, March 13, 2006.

4 CARLSMITH BALL LLP

5 
6 DAVID LEDGER
7 Attorneys for Defendant
8 Aviation Services (CNMI), Ltd.
9 dba Freedom Air

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 13 day of March 2006, I will cause to be served, via hand delivery, a true and correct copy of DEFENDANT'S INITIAL DISCLOSURES to the following Counsel of record.

David G. Banes, Esq.
O'Connor Berman Dotts & Banes
Second Floor, Nauru Building
Post Office Box 501969
Saipan, MP 96950

DATED: Hagåtña, Guam, March 13, 2006.



DAVID LEDGER

Aug 24 05 09:01a

Freedom Air

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P.4 FFreedom
Air ★★

General Operations Manual

Forms

Revision 20

08/14/03

Page: 9-10

Dennis
for your
copy

INCIDENT REPORT FAR 121/135

TO: Joaquin Flores

FROM: Dell Boddy / ROTA STATION
(Felicidad Boddy)

SUBJECT: Moses Fejerman / 100 Passenger from
Saipan / Slip on the Aircraft Stair and sprain
his ankle.

DATE: January 18-2005

(In your own words, explain what happened, when did it happen, how did it happen and any other details regarding the incident that you may remember. Use additional sheet or sheets if needed.)

Moses Fejerman came on Lit 200 in Spr. He slip on the last station
Step of the Aircraft Stair. He was busy looking around and
talking to me and not down the steps as he comes down.
I did hold him up so he will not really fall down. I ask him
if any help or assistance to go get his ankle check at the Hospital.
He said no, he is fine and this happens all the time where he trips.
Ask him are you sure? He said yes, he is OK.
At 5:16 pm He come to the console and ask if there any seat for
Cepheron flight. I told him yes that I could take him. Moses
said it will be better to go back to Saipan even though he come for the
funeral. His first wife and he could best better at home. As for
there on Saipan, it will be alot of running around. He mention
that even though he already got his hotel room and local Garden
and rent a car. It was OK for two of his kids are coming
in on the last flight and he using it.

1-18-05

Name - (Print)

Date

Felicidad Boddy

Signature

FA006

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p.5

1-18-05

I ask moses again if it will be better to get his ankle check here at the hospital before he depart for Saigon. He said NO, it's OK. He just need to rest his ankle at home. I told him if he needed any help. Please check with me at the counter. He said, it's OK he will just go to the restaurant and relax as his watch is always 30 minutes advance as he does not like to be late. Even to his work, he is never late.

Before flight 300 boarding and his boarding pass is given to him. I have Jonas Suzuki ask him if he needed a wheel chair out to the Aircraft.

Moses Ferguson said, No it's OK. He is just fine.

If any question on this report, please give me a call.

Thanks.

Deil.

(Felicidad Boddy)
ROTA STATION

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Aug 24 05 09:01a

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p.3

AUG 22-2003 11:51 AM

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P.02

On Jan. 18 05 I was inside the office when Mrs. Boddy came in and told me that one of our passengers fell down while trying to get down from the plane. A few minutes later I was told by Mrs. Boddy to go and ask Mr. Fejeran if he need any assistant or wheelchair. I then went and asked Mr. Fejeran but he said he was okay.

I. Suzuki

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Aug 24 05 09:01a

Freedom Air

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P.2

Aug 24 2005 11:00 AM

FREEDOMAIR

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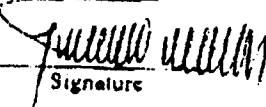
P.01

INCIDENT REPORT

TO: Felicidad Paddy
 FROM: Francisco Munu
 SUBJECT: Incident Report for Meisles Fejran
 DATE: 8-22-2005

In your own words, explain what happen when did it happen, how did it happen and any other details regarding the incident that you may remember. Use additional sheet or sheets if needed.

I Francisco Munu, Submitting my incident report to justify Mr. Fejran case on January 18, 2005. I am standing beside Mrs. Paddy getting ready to off load rear compartment. It happen so fast when Mr. Fejran missed his last steps. I heard Mrs. Paddy given full assistant to Mr. Fejran. His respond is everything is ok. Then I continued off load the rear compartment.

Munu, Francisco 
 Name Signature

000004

Aug 24 05 09:01a

Freedom Air

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p. 1

Transcription of Incident Reports filed by Freedom Air Rota Station employees:**Felicidad (Doll) Boddy, Rota Station Manager: Dated 1-18-05**

Moses Fejeran came on Flight 200 from Saipan. He slip(ped) on the last (bottom) step of the aircraft airstair. He was busy looking around and talking to me and not (looking) down (at) the steps as he came down.

I did hold him up (caught him) so he will not really fall down. I ask(ed) him if any help or assistance (was needed) (or) to go get his ankle check(ed) at the hospital. He said, "No, he is fine and this happen(s) all the time where he slips. (I) ask(ed) him, "Are you sure?" He said, "Yes, he is OK."

At 3:11 PM, he came to the counter and asked if there is any seat for the afternoon flight. I told him yes, that I could take care of him. Moses said it will be better to go back to Saipan even though he came for the funeral. For his foot ached and he could rest better at home. As for here on Rota, it will be a lot of running around. He mentioned that even though he already got his hotel room at Coral Gardens and rent a car, it was OK as two of his kids are coming in on the last flight and would be using it.

I asked Moses again if it will be better to get his ankle check(ed) here at the hospital before he depart(ed) for Saipan. He said, "No, it is OK." He just need to rest his ankle at home. I told him if he needed any help; please check with me at the counter. He said, it's OK; he will just go to the restaurant and relax, as his watch is always 30 advance, as he does not like to be late.

Before flight 300 (was) boarding, I have Inas Suzuke ask him if he needed a wheelchair out to the aircraft. Moses Fejeran said, "No, it's OK. He is just fine."

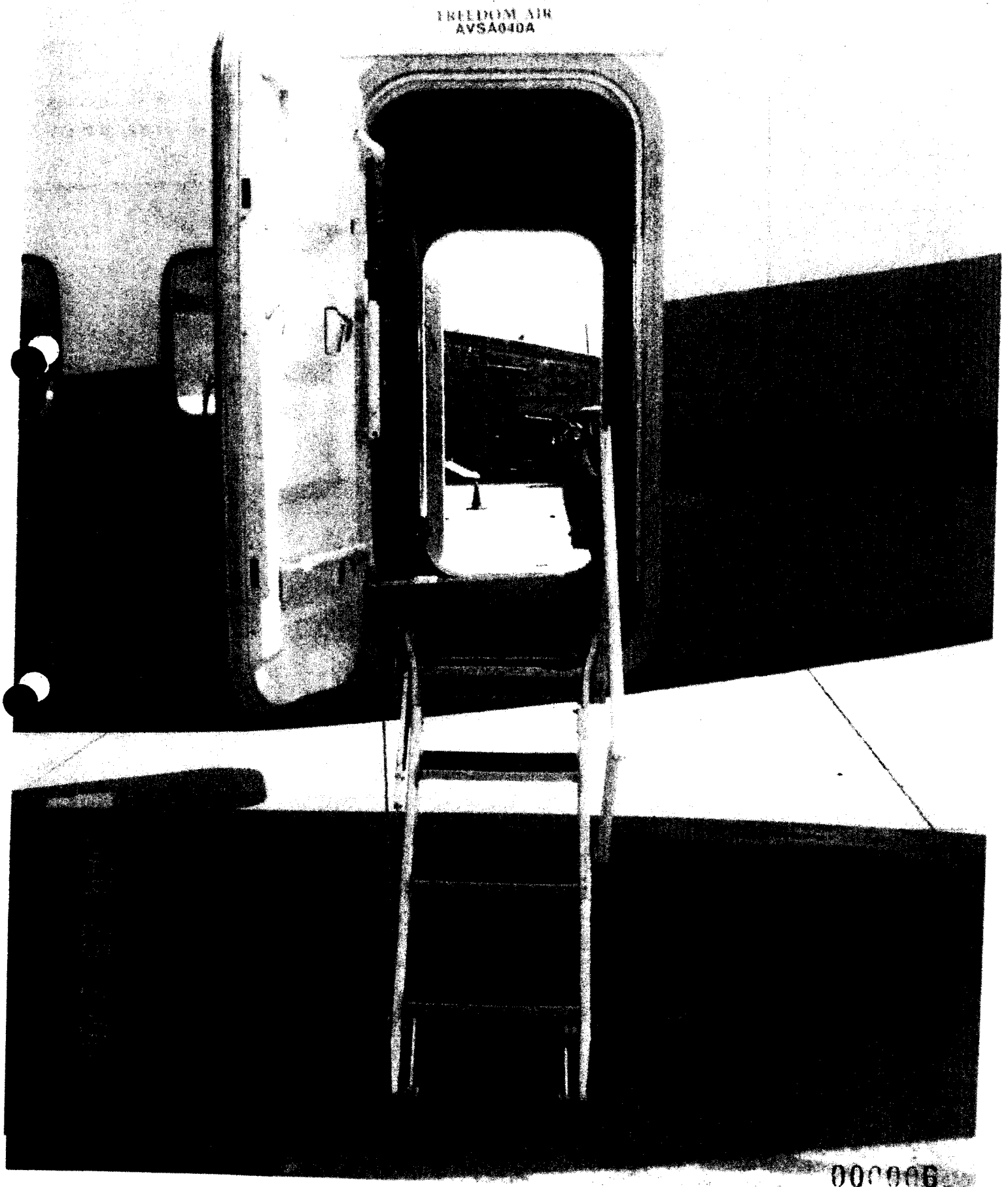
Francisco Muna, Rota Station Agent: Dated 8-22-05

I Francisco Muna, submitting my incident report to justify Mr. Fejeran case on January 18. (When flight 200 (arrived), I am standing beside Mrs. Boddy getting ready to off-load (the) rear (baggage) compartment. It happen(ed) so fast (that) when Mr. Fejeran missed his last step, I heard Mrs. Boddy given (giving) him full assistant (assistance) to Mr. Fejeran. His response is, "Everything is OK." Then I continued to off-load the rear compartment.

Inas Suzuke, Rota Station Agent: Dated 8-22-05

On Jan. 18, 05, I was inside the office when Mrs. Boddy came in and told me that one of our passenger fell down while trying to get down form the plane. A few minutes later, I was told by Mrs. Boddy to go and ask Mr. Fejeran if he need any assistant (assistance) or wheelchair. I then went and asked Mr. Fejeran, be he said he was okay.

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